

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
The Development of Operational, Technical	)	
and Spectrum Requirements for Meeting	)	
Federal, State and Local Public Safety Agency	)	WT Docket No. 96-86
Communication Requirements through the	)	
Year 2010	)	
	)	
Establishment of Rules and Requirements for	)	
Priority Access Service	)	

**ORDER EXTENDING COMMENT AND REPLY COMMENT PERIOD**

**Adopted: December 19, 1997**

**Released: December 19, 1997**

**Comment Date:** December 24, 1997

**Reply Comment Date:** January 26, 1998

**By the Chief, Public Safety and Private Wireless Division:**

1. On December 18, 1997, The National Public Safety Telecommunications Council (NPSTC) requested that the time for filing comments in response to the *Second Notice of Proposed Rule Making (Second Notice)* in the above-captioned proceeding<sup>1</sup> be extended from December 22, 1997, to December 24, 1997.

2. NPSTC states that it needs this brief extension of time so that its committee of volunteers may complete their editing and revising of the NPSTC comments. NPSTC states that there is insufficient time to complete this process by December 22.

3. Also, on December 18, 1997, the Association of Public-Safety Communications Officials-International, Inc. (APCO) submitted a request for an extension of time to January 30, 1998, within which to file reply comments in this proceeding. APCO states that with office closings during the holidays and travel schedules, it needs the additional time to prepare reply comments in a proceeding of this size and importance.

4. It is the policy of the Commission that extensions of time are not routinely granted. 47 C.F.R. § 1.46. Moreover, requests for extension of time in rulemaking proceedings such as this one should be filed at least seven days before the filing date at issue. While the request to extend the comment date is therefore untimely, grant of the request to extend the comment deadline, as well as a partial grant of

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<sup>1</sup> The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements through the Year 2010; Establishment of Rules and Requirements for Priority Access Service. *Second Notice of Proposed Rule Making*, WT Docket No. 96-86, FCC 97-373 (rel. Oct. 24, 1997) (*Second Notice*).

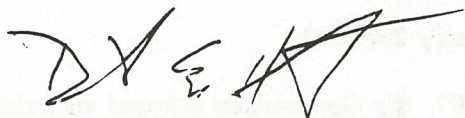


the request to extend the reply comment deadline, will serve the public interest. Under the circumstances here asserted, grant of extensions of time will help ensure that the record is as complete as possible and that it includes the comprehensive views of NPSTC and APCO.

5. Accordingly, we believe that it is reasonable to extend the time to file comments in this proceeding for two days from December 22, 1997, to December 24, 1997. Moreover, we believe that some extension of time within which to file reply comments is also reasonable in this case. However, given the Congressionally-mandated deadline of September 30, 1998, by which time we are required to commence assignment of licenses in the 24 MHz of spectrum in the 746-806 MHz band for public safety services, we are reluctant to grant a three week extension of time to file reply comments. We therefore extend the period of time for filing comments to and including **December 24, 1997**, and we extend by two weeks the period of time for filing reply comments to and including **January 26, 1998**.

5. **IT IS HEREBY ORDERED** that pursuant to Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the request of NPSTC to extend the time for filing comments **IS GRANTED**, and the request of APCO to extend the time for filing reply comments **IS GRANTED IN PART** to the extent indicated herein, and otherwise **IS DENIED**.

FEDERAL COMMUNICATIONS COMMISSION



David E. Horowitz  
Chief, Public Safety and Private Wireless Division  
Wireless Telecommunications Bureau